

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	USDC Case No. 4:12-cr-503-1
)	
JASON DANIEL GANDY,)	
)	Hon. Lee H. Rosenthal
Defendant.)	Chief United States District Judge

UNOPPOSED MOTION TO VIEW SEALED DOCUMENTS

COMES NOW JASON DANIEL GANDY, through undersigned counsel, and respectfully moves this Honorable Court to release certain sealed portions of the record to the undersigned counsel for Defendant. Counsel for the United States has been consulted and has no objection to the relief requested in this motion.

1. Undersigned counsel – who did not represent Defendant during any prior proceeding in the district court or on appeal – filed a notice of appearance in this Court on June 25, 2020. *See DE #231.*

2. Counsel has been unable to gain access to the following documents

filed under seal in this court: 1) Defendant's final presentence investigation report ("PSR") (DE #183); 2) Addendum to PSR (DE #184); 3) Second Addendum to PSR (DE # 196); 4) Attachment to Second Addendum to PSR (DE #197); and 5) Statement of No Objections to PSR (DE #199).

3. Counsel has been retained to prepare a motion to vacate under 28 U.S.C. § 2255 on Mr. Gandy's behalf. Counsel requires access to the PSR and related sealed documents to properly complete this task. The need for access to these documents is particularly clear because this case involves a lengthy and contested sentencing proceeding, where objections to the PSR were raised and may not be properly understood without access to the underlying paragraphs in the PSR and related documents. Counsel requires access to the sealed portions of the record to ensure proper issue selection, substantive accuracy and to ease this Court's review of any § 2255 claims related to counsel's performance in connection with the PSR, by providing precise citations to the specific portion of the PSR relevant to such claim.

Accordingly, Defendant respectfully moves this Court to release the

following sealed portions of the record: 1) Defendant's final presentence investigation report ("PSR") (DE #183); 2) Addendum to PSR (DE #184); 3) Second Addendum to PSR (DE # 196); 4) Attachment to Second Addendum to PSR (DE #197); and 5) Statement of No Objections to PSR (DE #199), to undersigned counsel by providing an accessible link to the documents maintained under seal in the electronic court file or by other accessible medium.

Respectfully submitted at Houston, Texas on July 16, 2020.

LAW OFFICES OF D. CRAIG HUGHES

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CERTIFICATE OF CONFERENCE

The undersigned has conferenced with Opposing Counsel from the Office of the U.S. Attorney for the Southern District of Texas on July 16, 2020, and the government is unopposed to the instant motion.

D. Craig Hughes
D. Craig Hughes

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of July, 2020, I have electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Southern District of Texas using the CM/ECF system. Counsel for all parties to the case are registered CM/ECF users and will be served by the CM/ECF system.

D. Craig Hughes
D. Craig Hughes